

To: FCC Commissioners

RE: Comments by Theodore A. Antanaitis

"In my opinion, the sole underlying intent of this petition is to remove Pactor 3 from the HF amateur bands in the United States. It is built upon the hatred (by certain segments of the amateur ranks) of EMCOMM in general, and Winlink in particular. It does not address any new material not previously considered by the commission, and does not present any substantive evidence to indicate that any action by the FCC is required. Because there is no reasonable basis for this petition, it should be denied."

The petition as written provides factual bases for all conclusions made in the petition, based on mathematical calculations and results of physical measurement. To state that substantive evidence is not presented is incorrect.

The petition does not remove Pactor III from the HF amateur bands. Since EMCOMM is not mentioned in the petition it is rather specious to suggest that the petition is motivated by hate for EMCOMM.

"To allow this petition to be enacted would be a serious disservice to amateur radio. Its implementation would prevent on-going research into, and development of, new data modes that may operate near to the limits of Signal - to - Noise Ratio and on deeply fading channels."

The petition prevents no on-going research or development of new data modes. Research and development of new data modes does not consist of adding ever greater numbers of carrier tones to OFDM signals in order to increase data payload transmission rates.

Since Pactor III actually decreases bandwidth during marginal conditions, which is when the limits of signal-to-noise ratio and fading are at their worst. Thus it is obvious that *narrow* modes are where research and developmen of new data modes should be

concentrated if advancement of the art of radio is the driving concern.

The only positive outcome in any consideration would be if the FCC chose to ammend the overly restrictive U.S. rules by expanding the presently 'overly limited' permissable operating segments available to 2.2 kHz bandwidth data.

"The petitioner seeks to mask the actions of a vocal and abusive minority of amateurs who deliberately, intentionally, and continuously protest operation of Pactor 3 Winlink stations by claiming that "others were previously operating said frequencies". In point of fact, some who have opposed advanced efficient data modes like Pactor 3 have deliberately "camped" on frequencies known to be used by Winlink stations (when adjacent frequencies were clear and available) for the sole purpose of interfering with the legal and normal operation of those stations. Many false and fraudulent complaints have come from this small group. These false complaints have wasted valuable FCC resources."

Winlink "owns" no frequencies in the amateur spectrum. Manually operated stations are perfectly free to select any operating frequencies they choose. It is incumbent upon automatically operated Winlink stations to avoid wilfull interference with those manually operated stations already in operation in the spectrum.

There are no known complaints by any Winlink automatic station having to do with wilfull interference by manually operated stations. Lacking any evidence for the claims made in this comment, the comments should be ignored.

"In my opinion, the FCC should request the U.S. amateur radio national organizations and groups step up and submit a sea-change proposal. This proposal would form and administer a single voluntary national level council to establish mandatory operating bandplans for U.S. amateur radio allocations. The U.S. amateur radio community has a

demonstrated successful record in voluntary service in the Volunteer Examination Program, Amateur Radio Emergency Service, and repeater frequency coordination. The council would be mandated with supporting the objectives of amateur radio as delineated in existing regulations but also providing a streamlined responsive mechanism with the freedom for change in direct response to the amateur radio community's changing needs and technologies. This council would be representative organization of all interested U.S. licensed amateur radio operators and be formally elected and structured. The FCC would continue to ensure that amateur operations resulted in no meaningful emissions outside of amateur allocations and require complete disclosure (prior to use) of any new modulation methods and data encodings for homeland security protection but otherwise would respect the self-policing by the amateur radio community of activity and provide enforcement support in fully documented cases when requested by council established observers."

This issue has already been considered by the FCC under Rm-9259. In the decision on this petition the FCC stated:

"We believe that it is not necessary to define the term "good amateur practice" as used in the Rules as requiring that amateur stations comply with voluntary band plans or declare that any amateur station control operator who selects a transmitting frequency not in harmony with those voluntary band plans is not operating in accord with good amateur practice. We believe that such definition would have the effect of transforming voluntary band plans into de facto required mandates. We do not believe that such a result would be consistent with the underlying intent of the Commission's policy regarding voluntary band planning in the amateur service."

This comment by Mr. Antanaitis is merely the same proposal that the FCC already dismissed. The FCC policy of voluntary band planning has worked for many years and transforming voluntary bandplans into de facto regulation is at odds with paradigm.